

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

DALE OLIVER,

Plaintiff,

v.

PLAINTIFF'S COMPLAINT

ENHANCED RECOVERY COMPANY, LLC,

Defendant.

NOW COMES Plaintiff, DALE OLIVER ("Plaintiff"), through his attorneys, KROHN & MOSS, LTD., alleging the following against Defendant, ENHANCED RECOVERY COMPANY, LLC, ("Defendant"):

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

JURISDICTION AND VENUE

3. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."

4. Defendant conducts business in the State of Tennessee and therefore, personal jurisdiction is established.

5. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

PARTIES

6. Plaintiff is a natural person residing in Nashville , Davidson County, Tennessee.

7. Plaintiff is a consumer as that term is defined by 15 U.S.C. § 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. § 1692a(5).

8. Defendant is a debt collector as that term is defined by 15 U.S.C. § 1692a(6), and sought to collect a consumer debt from Plaintiff.

9. Defendant is business entity with an office located at 155 Office Plaza Dr. Suite A, Tallahassee, Florida 32301.

10. Defendant, in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

FACTUAL ALLEGATIONS

11. Defendant places collection calls to Plaintiff in its attempts to collect an alleged debt.

12. In or around February of 2013, Defendant placed collection calls to Plaintiff seeking and demanding payment for an alleged debt arising from transactions for personal, household, and/or family purposes.

13. Defendant called Plaintiff's telephone number at 615-262-25XX.

14. Defendant calls Plaintiff from the telephone number 1-800-497-0351

15. Defendant constantly and continuously placed 2-3 collection calls to Plaintiff everyday seeking and demanding payment for a consumer debt.

16. In February of 2013, Defendant, or a representative thereof, named "Jamel Owens" placed a collection call to Plaintiff's mother's telephone number 615-227-43XX.

17. During the conversation in February of 2013, Defendant, or a representative thereof, named "Jamel Owens" spoke with Plaintiff's mother, and disclosed to Plaintiff's mother that Defendant was attempting to contact Plaintiff regarding a debt.

18. During a conversation in the first week of March, 2013, Defendant, or a representative thereof, named "Jamel Owens" spoke with Plaintiff's mother, and disclosed to Plaintiff's mother that Defendant was attempting to contact Plaintiff regarding a debt

19. Defendant has called Plaintiff's mother at least 4 ("four") times, each time disclosing to Plaintiff's mother that they were attempting to contact Plaintiff in order to collect a debt.

20. As a result of Defendants continued calls, Plaintiff suffered embarrassment, humiliation, emotional distress, anguish and mental suffering. When Defendants call Plaintiff, Plaintiff feels stress, aggravation, anguish, and anxiety.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

20. Defendant violated the FDCPA based on the following:

- a) Defendant violated §1692c(b) of the FDCPA when Defendant communicated information regarding the alleged debt with third parties.

WHEREFORE, Plaintiff, DALE OLIVER, respectfully requests judgment be entered against Defendant, ENHANCED RECOVERY COMPANY, LLC, for the following:

21. Statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k.

22. Actual damages.

23. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U S C. § 1692k

24. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

DATED: April 2, 2013

By: Shireen Hormozdi
Shireen Hormozdi
Krohn & Moss, Ltd
10474 Santa Monica Blvd. Suite 405
Los Angeles, CA 90025
Tel: (323) 988-2400 x 267
Fax: (866) 861-1390
Email: shormozdi@consumerlawcenter.com